

Application Serial No. 09/513,554
Amendment Dated October 28, 2005
Office Action of June 28, 2005

REMARKS

This Amendment is in response to the Final Office Action dated June 28, 2005. The Examiner rejected pending claims 1, 2 and 4-13. Claims 1-2 and 4-13 are therefore pending. Reconsideration is respectfully requested in view of the following remarks.

Rejections Under 35 USC §103

Claims 1, 2 and 4-13 are rejected under 35 USC §103(a) based on U.S. Patent No. 6,115,754 (Landgren) in view of U.S. Patent No. 6,473,609 (Schwartz), and further in view of U.S. 5,838,317 (Bolnick).

The currently pending claims clearly describe and point out features of the claimed invention which are neither disclosed or suggested separately or collectively in Landgren, Schwartz and/or Bolnick. The rejection of these claims by the Examiner is based largely upon piecemeal construction with portions of these three references without showing a motivation to combine them.

As recited in independent claim 1, a system is provided for retrieving web-based content from a plurality of Internet sites. The system includes an engine module that automatically fetches web-based content from a plurality of sites on the Internet according to customized user-defined configuration information selected by an end-user for each particular site. All of the selected web-based content from each Internet site, following conversion from the first language into a second language, is then signaled from each Internet site to an end device operating in accordance with the specified user-defined configuration information. "For example, an engine 50 may include a plurality of 'smart' fetch and notification modules to access different messaging services, including Internet messaging service with a specific fetch and notification module. Each fetch and notification module is programmed to access necessary preliminary web-pages for that specific messaging service." [Specification, p. 9, lns.5-11.] Moreover, the "types of user-defined configurations

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information that may be entered and stored on engine 50 include preferences, raw user-data, and directives. The user may set preferences on how often certain sites should be accessed, or how often the user should be notified of a web-event. The user may provide raw data regarding the user, such as billing information for e-commerce applications, and login/password information for messaging services.” [Id. At p. 11, lns. 11-17.] This is more like a “personal programmable cyber robot” type of application, where the end-user is empowered via this invention to instruct a powerful Internet agent to fetch and process a wide range of data and instructions based on each end-user’s personal profile and configuration. This type of user-defined configurations information and instruction, which dictates how and what kinds of web-based content is gathered from multiple Internet sites and how they are custom-processed as recited in independent claims 1, 9 and 12, is neither disclosed or suggested in the cited references of record.

The ability of the current invention to automatically fetch and process web-based information from various websites in accordance with user-defined configuration information and instructions, among other claimed features herein, truly sets it apart from the references relied upon by the Examiner.

For example, Landgren is focused primarily on location information for mobile units (see Abstract), and also none of the functionality or recited claim elements herein are found in this reference or in Schwartz. Moreover, Landgren expressly teaches away from the currently claimed invention which includes automatically fetching and conversion of web-based content from various websites based on user defined configuration information based on specifically selected criteria by a user. (...“If a user selects the “OK” soft key, a list of the detailed financial news packaged in one or more HDML files would be fetched (pulled) from the financial network server and displayed...” col. 9, lns. 16-19.) According to Landgren, mobile device user manually fetches or pulls files (e.g., HDML) from a server – content is not automatically fetched in Landgren or Schwartz as conceded by the Examiner. [Office Action, pp. 3, 5 and 8.]

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Furthermore, the citation and reliance by the Examiner to Bolnick is misplaced since this patent reference (listed as assigned to Microsoft Corporation) is primarily directed to arrangement with representations within a graphical user interface (GUIs) for desktop items. Applicants contend this reference is not relevant prior art as it relates more towards desktop computing devices rather than mobile devices which have far less computing power and display capabilities. In addition, even if this reference were considered relevant, the "auto-fetch" function described in Bolnick is not related to web-based content – rather it appears to be referring to "auto-fetch frames [that] automatically pull appropriate desktop items within their borders." [col. 7, lns. 22-24 – cited by Examiner.] (Applicants kindly request the Examiner to reconsider her reliance on Bolnick, particularly given the odd language found in the Final Office Action repeated on three separate occasions – "It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Bolnick into the computer system Langren to have an automatically because it would have provided To load an instruction or piece of data from memory into a CPU's register." See pp. 3, 6 and 8.)

Accordingly, it would not have been obvious to one of ordinary skill at the time of the invention was made to combine Langren, Schwartz and/or Bolnick. Even if these references were combined, they would nonetheless fail to disclose each and every element as claimed in the currently pending claims.

For the foregoing reasons, Applicant respectfully requests that the rejection of independent claims 1, 9 and 12 be withdrawn. Because the dependent claims related thereto include further limitations in addition to those recited in their corresponding independent claim, Applicant believes that all depending claims are also allowable over the cited references of record. Reconsideration of this rejection in view of the pending claims is respectfully requested.

Reconsideration is respectfully requested in view of the following remarks.

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It is submitted that the present application is in form for allowance, and such action is respectfully requested. Should the Examiner have any questions, please contact the undersigned attorney.

The Commissioner is authorized to charge any additional fees, which may be required, including petition fees and extension of time fees, to Deposit Account No. 23-2415 (Docket No. 24286-702).

Respectfully submitted,

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Date: October 28, 2005

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